

## **LISTING OF THE CLAIMS**

**This listing of claims will replace all prior versions, and listings, of claims in the application:**

1. (currently amended) A guard for protecting the sides of a pallet on which goods can be stacked or a merchandise grouping placed on a support surface, the guard comprising:

a plurality of modular guard sections, each section being couplable to an adjacent section to surround at least a portion of the perimeter of a pallet or merchandise grouping, each modular guard section having top and bottom portions, the bottom portion being wider than the top portion making each modular guard section [[a]] substantially wedge or triangular shape in cross section to increase the stability of the guard section; and

the guard sections each having a complementary portion of a joint for coupling the sections together.

2. (original) The guard of claim 1, wherein the complementary portions of the joint allow the guard sections to be coupled together to form a corner or in a straight line.

3. (original) The guard of claim 2, wherein the complementary sections of the joint allow the guard section to be arranged at any angle between and including 90° and a straight line.

4. (original) The guard of claim 2, wherein the complementary joint sections comprise a projection on one guard section and a recess in another guard section.

5. (withdrawn) The guard of claim 3, wherein the complementary joint sections comprise a pivotal connection.

6. (original) The guard of claim 1, further comprising signage on an outwardly facing surface of at least one guard section.

7. (currently amended) A guard for protecting the sides of a pallet on which goods can be stacked or a merchandise grouping placed on a support surface, the guard comprising:

a plurality of modular guard sections, each section being couplable to an adjacent section to surround at least a portion of the perimeter of a pallet or merchandise grouping, each modular guard section having top and bottom portions, the bottom portion being wider than the top portion making each modular guard section ~~[[a]]~~ substantially wedge or triangular shape in cross section to increase the stability of the guard section;

the guard sections each having a complementary portion of a joint for coupling the sections together; and

wherein the modular guard sections each comprise at least two telescoping members to allow adjustability of the length of a guard section.

8. (withdrawn) The guard of claim 1, wherein the joint comprises a joint member coupled to adjacent guard sections, the joint comprising a live hinge.

9. (original) The guard of claim 1, wherein the joint comprises a fixed corner section providing a 90° corner, the fixed corner section being removable to allow adjacent guard sections to connect with each other in an in-line configuration.

10. (previously presented) A guard for protecting the sides of a pallet on which goods can be stacked or a merchandise grouping placed on a support surface, the guard comprising:

a plurality of modular guard sections, each section being couplable to an adjacent section to surround at least a portion of the perimeter of a pallet or merchandise grouping, each modular guard section having a substantially wedge or triangular shape in cross section to increase the stability of the guard section;

the guard sections each having a complementary portion of a joint for coupling the sections together; and

wherein the modular guard sections have a rear face facing the pallet or merchandise grouping that is vertically oriented when the guard is arranged on a support surface, and a front surface that is slanted such that a distance between the front and rear surface at the bottom is

greater than the distance between the front and rear surface at the top.

11. (original) The guard of claim 7, further comprising a detent mechanism for holding the two telescoping members in a detented relationship when a desired adjustment of the length has been attained.

12. (previously presented) A guard for protecting the sides of a pallet on which goods can be stacked or a merchandise grouping placed on a support surface, the guard comprising:

a plurality of modular guard sections, each section being couplable to an adjacent section to surround at least a portion of the perimeter of a pallet or merchandise grouping, each modular guard section having a substantially wedge or triangular shape in cross section to increase the stability of the guard section;

the guard sections each having a complementary portion of a joint for coupling the sections together;

wherein at least one of the guard sections has an outwardly facing surface having an area configured to receive a removable signage member.

13. (previously presented) The guard of claim 12, wherein the area comprises a recessed surface for receiving the signage member such that a back surface of the signage member lies substantially adjacent to the recessed surface.

14. (previously presented) A guard for protecting sides of a pallet on which goods can be stacked or a merchandise grouping placed on a support surface, the guard comprising:

a plurality of modular guard sections, each modular guard section being couplable to an adjacent modular guard section for surrounding at least a portion of a perimeter of a pallet or merchandise grouping, each modular guard section having a complementary portion of a joint for coupling the sections together,

wherein at least one of the guard sections has an outwardly facing surface having an area configured to receive a removable signage member, the area including a recessed surface for receiving the signage member such that a back surface of the signage member lies substantially

adjacent to the recessed surface,

the signage member having one or more tabs along an outer peripheral edge thereof and the recessed surface has one or more slots along an outer peripheral edge thereof and wherein the slots of the recessed surface receive the tabs of the signage member to hold the signage member in position.

15. (previously presented) The guard of claim 13, wherein the guard section has one or more tabs along an outer peripheral edge of the recessed surface that are configured to overly an outer peripheral edge of the signage member to hold the signage member in place.

16. (previously presented) The guard of claim 13, wherein the guard section has one or more channels along an outer peripheral edge of the recessed surface that are configured to allow an outer peripheral edge of the signage member to be slid or flexed into the channels.

17. (original) The guard of claim 12, wherein the complementary portions of the joint allow the guard sections to be coupled together to form a corner or in a straight line.

18. (withdrawn) The guard of claim 12, wherein the complementary sections of the joint allow the guard section to be arranged at any angle between and including 90° and a straight line.

19. (original) The guard of claim 12, wherein the complementary joint sections comprise a projection on one guard section and a recess in another guard section.

20. (withdrawn) The guard of claim 18, wherein the complementary joint sections comprise a pivotal connection.

21. (previously presented) A guard for protecting the sides of a pallet on which goods can be stacked or a merchandise grouping placed on a support surface, the guard comprising:  
a plurality of modular guard sections, each section being couplable to an adjacent section

to surround at least a portion of the perimeter of a pallet or merchandise grouping;

the guard sections each having a complementary portion of a joint for coupling the sections together;

wherein at least one of the guard sections has an outwardly facing surface having an area for the receipt of a removable signage member; and

wherein the modular guard sections each comprise at least two telescoping members to allow adjustability of the length of a guard section.

22. (withdrawn) The guard of claim 12, wherein the joint comprises a joint member coupled to adjacent guard sections, the joint comprising a live hinge.

23. (original) The guard of claim 12, wherein the joint comprises a fixed corner section providing a 90° corner, the fixed corner section being removable to allow adjacent guard sections to connect with each other in an in-line configuration.

Claim 24 (canceled).

25. (previously presented) A guard for protecting the sides of a pallet on which goods can be stacked or a merchandise grouping placed on a support surface, the guard comprising:

a plurality of modular guard sections, each section being couplable to an adjacent section to surround at least a portion of the perimeter of a pallet or merchandise grouping;

the guard sections each having a complementary portion of a joint for coupling the sections together;

wherein at least one of the guard sections has an outwardly facing surface having an area for the receipt of a removable signage member;

wherein each guard section has a substantially wedge or triangular shape in cross section to increase the stability of the pallet guard section; and

wherein the modular guard sections have a rear face facing the pallet or merchandise grouping that is vertically oriented when the guard is arranged on a support surface, and a front surface that is slanted such that a distance between the front and rear surface at the bottom is

greater than the distance between the front and rear surface at the top.

26. (original) The guard of claim 21, further comprising a detent mechanism for holding the two telescoping members in a detented relationship when a desired adjustment of the length has been attained.

27. (currently amended) A guard for protecting a face side or multiple face sides of a pallet on which goods can be stacked or merchandise groupings placed on a support surface, the guard comprising: at least one guard section to cover the face side or sides of a pallet or merchandise grouping, each guard section having top and bottom portions, the bottom portion being wider than the top portion making each modular guard section [[a]] substantially wedge or triangular shape in cross section to increase the stability of the guard section.

28. (original) The guard of claim 27, wherein each section is modular and couplable to an adjacent section.

29. (original) The guard of claim 28, wherein the guard sections each having a complementary portion of a joint for coupling the sections together.

30. (original) The guard of claim 27, further wherein at least one of the guard sections has an outwardly facing surface having an area for the receipt of a removable signage member.

31. (currently amended) A guard for protecting a face side or multiple face sides of a pallet on which goods can be stacked or merchandise groupings placed on a support surface, the guard comprising:

at least one guard section to cover the face side or sides of a pallet or merchandise grouping, each guard section having top and bottom portions, the bottom portion being wider than the top portion making each modular guard section [[a]] substantially wedge or triangular shape in cross section to increase the stability of the guard section; and

wherein the guard sections each comprise at least two telescoping members to allow

adjustability of the length of a guard section.

32. (original) The guard of claim 29, wherein the complementary portions of the joint allow the guard sections to be coupled together to form a corner or in a straight line.

33. (withdrawn) The guard of claim 32, wherein the complementary sections of the joint allow the guard section to be arranged at any angle between and including 90° and a straight line.

34. (withdrawn) The guard of claim 27, wherein the section is attachable to a merchandise rack or stanchion of a merchandise rack.

35. (withdrawn) A guard for protecting a face side or multiple face sides of a pallet on which goods can be stacked or merchandise groupings placed on a support surface, the guard comprising: at least one guard section to cover the face side or face sides of a pallet or merchandise grouping and wherein the guard section has an attachment member for attaching the guard section to a merchandise rack or stanchion of a merchandise rack.